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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

National Fair Housing Alliance, Inc.; Fair
Housing of Marin, Inc.; Fair Housing Napa
Valley, Inc.; Metro Fair Housing Services,
Inc.; and Fair Housing Continuum, Inc.,

Plaintiffs,

v.

A.G. Spanos Construction, Inc.; A.G.
Spanos Development, Inc.; A. G. Spanos
Land Company, Inc.; A.G. Spanos
Management, Inc.; The Spanos
Corporation and Knickerbocker Properties,
Inc. XXXVIII; and Highpointe Village,
L.P. Individually and As Representatives of
a Class of All Others Similarly Situated,

Defendants.

Case No. C07-3255 (SBA)

**[PROPOSED] ORDER GRANTING
DEFENDANT HIGHPOINTE
VILLAGE, L.P.'S MOTION TO
DISMISS PLAINTIFFS' FIRST
AMENDED COMPLAINT FOR
FAILURE TO STATE A CLAIM UPON
WHICH RELIEF MAY BE GRANTED**

Date: February 26, 2008
Time: 1:00 p.m.
Dept: Courtroom 3 (3rd Floor)
Judge: Hon. Sandra Brown Armstrong
Complaint Filed: June 20, 2007

1 Defendant Highpointe Village, L.P.'s ("Highpointe Village") Motion to Dismiss the First
 2 Amended Complaint, filed by Plaintiffs National Fair Housing Alliance, Inc., Fair Housing of
 3 Marin, Inc., Fair Housing Napa Valley, Inc., Metro Fair Housing Services, Inc., and Fair Housing
 4 Continuum, Inc. (collectively, "Plaintiffs") came on for hearing on February 26, 2008, at 1:00
 5 p.m., in Courtroom 3, of the Honorable Sandra Brown Armstrong, presiding. Shirley E.
 6 Jackson, Esq., appeared on behalf of Defendant Highpointe Village, L.P. D. Scott Chang, Esq.
 7 appeared on behalf of Plaintiffs. Lee Roy Pierce, Jr., Esq. and Thomas H. Keeling, Esq. appeared
 8 on behalf of the A.G. Spanos Defendants.

9 After reviewing and considering the papers submitted by the parties, the files and records
 10 in this matter, and having heard and considered oral argument of counsel, and good cause appears
 11 therefore:

12 IT IS ORDERED that Defendant Highpointe Village, L.P.'s Motion to Dismiss Plaintiffs'
 13 First Amended Complaint is GRANTED. Pursuant to Federal Rule of Civil Procedure 12(b)(6),
 14 Plaintiffs' First Amended Complaint is dismissed with prejudice as to Highpointe Village on the
 15 ground that Plaintiffs' claims against Highpointe Village fail to state a claim upon which relief
 16 may be granted.

17 IT IS SO ORDERED.

18 Dated: _____, 2008

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 20 _____
 21 Honorable Sandra Brown Armstrong
 22 United States District Judge
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